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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 RYAN CARROLL,

16 Defendant.
17 _____

No. CR 05-00231 MJJ

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME FROM
AUGUST 3, 2005 TO AUGUST 19, 2005
FROM THE SPEEDY TRIAL ACT
CALCULATION (18 U.S.C. §
3161(h)(8)(A))

18
19 With the agreement of the parties, and with the consent of the defendant, the Court enters
20 this order scheduling continuing the appearance date in this matter from August 3, 2005 to
21 August 19, 2005 at 2:30 p.m. before the Honorable Martin J. Jenkins in Oakland, California, for
22 change of plea, and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. §
23 3161(b), from August 3, 2005 to August 19, 2005. The parties agree, and the Court finds and
24 holds, as follows:

25 1. The defendant is out of custody.

26 2. The defendant agrees to an exclusion of time under the Speedy Trial Act based upon
27 the unavailability of defense counsel and the need for continuity of counsel. Defense counsel is
28 experiencing a family emergency and will be unable to consult with his client during the

1 excluded time.

2 3. Counsel for the defense believes that the exclusion of time is in his client's best
3 interest.

4 4. Given these circumstances, the Court finds that the ends of justice served by excluding
5 the period from August 3, 2005 to August 19, 2005, outweigh the best interest of the public and
6 the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

7 5. Accordingly, and with the consent of the defendant, the Court (1) continues the
8 appearance date of August 3, 2005 before the Honorable Martin J. Jenkins to August 19, 2005 at
9 2:30 p.m. for change of plea in Oakland, California; and (2) orders that the period from August 3,
10 2005 to August 19, 2005 be excluded from Speedy Trial Act calculations under 18 U.S.C. §
11 3161(h)(8)(A) & (B)(iv).

12 STIPULATED:

14
15 DATED: 8/3/05


TODD BEQUETTE
Attorney for Defendant

17
18 DATED: 8/3/05


KIRSTIN M. AULT
Assistant United States Attorney

20
21 IT IS SO ORDERED.

22
23 DATED: 8/10/2005


MARTIN J. JENKINS
United States District Judge